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In re Application of :
HONDA, Mitsuru, et. al. :
Application No.: 10/525,614 : DECISION
PCT No.: PCT/JP03/07169 :
Int. Filing Date: 05 June 2003 :
Priority Date: 30 August 2002 :
Attorney's Docket No.: 62937(70904) :
For: BASIC MATERIAL FOR PATTERNING AND :
PATTERNING METHOD :
:

This decision is in response to applicants' "Request For Corrected Filing Receipt" filed 04 August 2005 seeking correction of the application title.

BACKGROUND

On 05 June 2003, applicants filed international application PCT/JP03/07169 which claimed a priority date of 30 August 2002 and which designated the United States. On 18 March 2003, a copy of the international application was communicated to the United States Patent And Trademark Office ("USPTO") by the International Bureau ("IB"). The deadline for payment of the basic national fee was thirty months after the priority date, i.e. 28 February 2005.

On 24 February 2004, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee.

On 18 July 2005, the United States Designated/Elected Office (DO/EO/US) mailed a Notification Of Acceptance (Form PCT/DO/EO/903) indicating that the requirements of 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) were satisfied as of 24 February 2005.

Also on 18 July 2005, the USPTO issued a filing receipt. The filing receipt identified the title of the present application as "Basic Material For Patterning And Patterning Method." This is the English translation of the title set forth on the published international application.

On 04 August 2005, applicants filed the request for corrected filing receipt considered herein. The submission asks that the title be corrected to "Pattern Formation Substrate And Pattern Forming Method." This is the title set forth on the transmittal letter, declaration, and specification filed by applicants on 24 February 2004.

DISCUSSION

Section 1893.03(e)(1) of the Manual Of Patent Examining Procedure (MPEP) states the following regarding the title that the USPTO will use in national stage applications:

[T]he Office will normally use the title of the invention indicated on the cover page of the publication as the title of the national stage application that will appear on the filing receipt. The cover page will include an English translation of the title if the international application was published in a foreign language. See PCT Rule 48.3 (c). Applicants desiring to have the filing receipt reflect a title that is different than the English language title appearing on the cover page must submit either a preliminary amendment amending the title or an application data sheet (37 CFR 1.76) with the desired title.

Here, as set forth in the MPEP, the USPTO has assigned the national stage application the "title of the invention indicated on the cover page of the publication." Applicants have not filed either a preliminary amendment or an application data sheet (ADS) to change the title. Accordingly, applicants' present request to modify the title of the present application cannot be granted on the present record.

CONCLUSION

Applicants' request for a corrected filing receipt is **DISMISSED** without prejudice.

The title of record herein remains "Basic Material For Patterning And Patterning Method," the title of the invention indicated on the cover of the international publication.



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